

Revenue (1898) Department.

G.O., No. 783

Confidential No. 1013

DATED 16th February '98

[Despatch Abstract.]

Communicating to the Board of Revenue Pro. of the
Public Works Dept. confirming the action taken by the Board
for filing an appeal in the High Court in regard to certain
claim for compensation.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

0
18 4,000-12-7-97.

Revenue (1898) Department.

CURRENT No. 1318
Confidential No 14

From the P. W. Dept

Order mis No 783 of 16 Feb 98

Communicated
to the Board of Rev.

No. 129-I

Dated 14th February '98

Received 15th

Registered 15th

Enclosures two

Spare copies.

To the B? of Rev & R? 16/2/98
with the Encl. & 16/2/98

15/2/98

SUBJECT.

Confirming the action taken
by the Board of Revenue for filing
an appeal in the High Court
in regard to certain claims
for compensation.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Confidential

the sanction of Government, the Public Works Department, Irrigation Branch. As the decree of the sub judge, if confirmed on appeal, will have to be paid from the grant for the Buckingham Canal, the Revenue Department, transfer endorsement, No. 452, dated 28th January 1898, in the P.W.D. Department.

Read the following:-
Revenue Department, transfer endorsement, No. 452, dated 28th January 1898, in the P.W.D. Department.

Note by the Chief Engineer for Irrigation, No. 29 I dated 2nd February 1898:-

In G.O. No. 3470, dated 27th August 1895, Revenue Department, the defence of the suit brought by one Gundala Pitchi Reddy against Government to recover Rs. 21,000 being compensation for loss of produce of the lands in the village of Kothapatam, Gudur taluk, Nellore District, alleged to have been taken up in 1881 & 1884 by the P.W.D. for the Buckingham Canal, was sanctioned.

2. On the 30th August 1897, the sub Judge of Nellore in his judgment in the case decreed the payment of Rs. 3,852 by Government with 6 per cent interest from the date of --- plaint and proportionate costs with similar interest from date of decree till date of payment, the rest of the claim -- being dismissed.

3. In forwarding a copy of the above judgment, the -- Collector of Nellore urged that the Government Pleader may be instructed to file an appeal in the High Court at Madras on the grounds that the Sub Court has taken a wrong view as to limitation, the "opinion" already recorded by the Government Pleader in the case being that the suit is clearly --- barred whether it be viewed as a claim for compensation for not completing an intended acquisition or as a claim for --- damages for trespass and that the amount of damages awarded by the sub Judge is excessive.

4. The Board of Revenue in its Proceedings No. 223 M.R. dated 25th January 1898, Land Revenue, accordingly instructed the Government Pleader to file an appeal in the High Court,

Confidential



Public Works Department,
Irrigation Branch.

Read the following:-

Revenue Department, Transfer and Endowment, No. 1299

Dated 27th January 1898.

Note by the Chief Engineer for Irrigation, No. 1299

Dated 27th January 1898.

In G.O. No. 3470, dated 27th August 1895, Revenue

Department, the details of the suit brought by one Gundari

Pitaji Reddy against Government to recover Rs. 21,000 being

compensation for loss of produce of the lands in the village

of Kothapalle, under Taluk, Nellore District, alleged to have

been taken up in 1884 & 1885 by the P.W.D. for the Buckingham

Canal, was cancelled.

On the 27th August 1897, the Judge of Nellore

in his judgment in the case decreed the payment of Rs. 2,800

by Government with 6 per cent interest from the date of

plaint and proportionate costs with similar interest from

date of decree till date of payment, the rest of the claim

being dismissed.

In forwarding a copy of the above judgment, the

Collector of Nellore urged that the Government Pleader may be

instructed to file an appeal in the High Court at Madras

on the grounds that the High Court has taken a wrong view as

to limitation, the "limitation" already recorded by the Govern-

ment Pleader in the case being that the suit is clearly

barred whether it be viewed as a claim for compensation for

not completing an intended acquisition or as a claim for

damages for trespass and that the amount of damages awarded

by the Judge is excessive.

The Board of Revenue in its Proceedings No. 238 dated

27th January 1898, Land Revenue, accordingly instructed

the Government Pleader to file an appeal in the High Court.

in anticipation of the sanction of Government, the expiry of
the appeal time being the 28th January 1898.

5. As the decree of the Sub Judge, if confirmed on ap-
peal, will have to be satisfied from the grant for the ----
Buckingham Canal, the Board of Revenue forwards its Pro-
ceedings for confirmation of its action in the P.W. Depart-
ment.

Order thereon No. 1299 dated 14th Feb 1898.

The action taken by the Board of Revenue, Land
Revenue, for filing an appeal in the High Court, is confirmed.

(True Extract)

Philom
Under Secretary.

The Chief Engineer for Irrigation,
Superintending Engineer, V Circle.

Examiner, P.W. Accounts.

Revenue Department with enclosures & Original of
G.O. No. 3470 dated 27th August 1895, returned.

in anticipation of the sanction of Government, the expiry of
the appeal time being the 28th January 1888.
As the decree of the High Judge, if confirmed on ap-
peal, will have to be satisfied from the grant for the
Birmingham Canal, the Board of Revenue forwards its pro-
ceedings for confirmation of the action in the P.W. Depart-
ment.

Order No. 1229 dated 11th July 1888.
The action taken by the Board of Revenue, Land
Revenue, for lifting an appeal to the High Court, is confirmed.

(True Extract)

[Signature]

First copy sent to Press.

Returned for Signature.

Despatched.

READ AGAIN G.O., N.
189

DATED

NUMBER OF COPIES
REQUIRED. { Order complete.
Letter only.
Order complete with Letter.

Spare Copies.

Struck
Issued

CURRENT No.

ENCLOSURES TO O. No.

Total ..

In hand ..

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.

The Chief Engineer for Irrigation.
Superintending Engineer, V Circle.
Examiner, P.W. Accounts.

Revenue Department with enclosures & original of
O.O. No. 8470 dated 27th August 1888, returned.